

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-45 are pending. Claims 1-3, 7-23 and 26-45 have been rejected. Claims 4-6, 24 and 25 have been objected to.

Claims 1, 4, 11, 17, 21, 24, 26, 30, 32, 34, 38, 40, 42, and 44 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

Examiner objected to claims 4-6 and 24-25 as being dependent upon a rejected base claim, but per the Examiner, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have amended claim 4 to include substantially all limitations of independent claim 1.

Therefore, applicants respectfully submit that claim 4, as amended, is now allowable.

Given that claims 5-6 depend from amended claim 4, applicants respectfully submit that claims 5-6 are now allowable.

Applicants have amended claim 24 to include substantially all limitations of independent claim 21.

Therefore, applicants respectfully submit that claim 24, as amended, is now allowable.

Given that claim 25 depends from amended claim 24, applicants respectfully submit that claim 25 is now allowable.

Claims 1, 7-10, 21-23, 32-33, and 40-41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,785,885 to Norris et al. (hereinafter “Norris”) in view of U.S. Patent No. 6,807,641 to Ishiguro (“Ishiguro”).

Amended claim 1 reads as follows:

A machine readable medium containing executable computer program instructions which when executed by a data processing system cause said system to perform a method to set up software installed on a storage device of the data processing system, the method comprising:

automatically searching in a plurality of locations for a configuration information that includes one or more parameters to configure the software that includes determining whether the configuration information is present at a first location; and continuing the searching in one or more second locations for the configuration information if the configuration information is not present at the first location; and

configuring the software installed on the storage device of the data processing system for operation of the data processing system according to the one or more parameters contained in the configuration information found in at least one of the plurality of locations.

(emphasis added)

Norris discloses mechanism for automatically securing licensing for an unlicensed codec. More specifically, Norris discloses initiating a call from a first endpoint, the first endpoint identifying a preferred codec, receiving the call at a second endpoint wherein a licensed copy of the preferred codec is not included, and generating a codec license request from the second endpoint to the first endpoint and/or at least one third party codec provider (Abstract).

Thus, Norris discloses generating a codec license request to the first endpoint and/or at least one third party codec provider. Norris fails to disclose determining whether the configuration information is present at a first location; and continuing the searching in one or

more second locations for the configuration information if the configuration information is not present at the first location, as recited in amended claim 1.

Accordingly, Norris fails to disclose, teach, or suggest automatically searching in a plurality of locations for a configuration information that includes one or more parameters to configure the software that includes determining whether the configuration information is present at a first location; and continuing the searching in one or more second locations for the configuration information if the configuration information is not present at the first location, as recited in amended claim 1.

Ishiguro, in contrast, discloses a content provider system, and also fails to disclose such limitations of amended claim 1.

Thus, neither Norris, nor Ishiguro discloses such limitations of amended claim 1.

It is respectfully submitted that Norris does not teach or suggest a combination with Ishiguro, and Ishiguro does not teach or suggest a combination with Norris. Norris addresses the problem of securing a license. In contrast, Ishiguro addresses the problem of restoring the content. It would be impermissible hindsight, based on applicants' own disclosure, to combine Norris and Ishiguro.

Furthermore, even if the restoring content system of Ishiguro were incorporated into the securing licensing mechanism of Norris, such a combination would still lack automatically searching in a plurality of locations for a configuration information that includes one or more parameters to configure the software that includes determining whether the configuration information is present at a first location; and continuing the searching in one or more second locations for the configuration information if the configuration information is not present at the first location, as recited in amended claim 1.

Therefore, applicants respectfully submit that claim 1, as amended, is not obvious under 35 U.S.C. § 103(a) over Norris in view of Ishiguro.

For at least the same reasons as set forth above with respect to amended claim 1, applicants respectfully submit that claims 7-10, 21-23, 32-33, and 40-41 are not obvious under 35 U.S.C. § 103(a) over Norris in view of Ishiguro.

Claims 2, 3, 5, 11-20, 31, 34-39, and 42-45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Norris as per above in view of U.S. Patent No. 6,807,558 to Hassett et al. (hereinafter “Hassett”).

Hassett, in contrast, discloses utilization of information “push” technology (Abstract), and also fails to disclose the discussed limitations of amended claim 1.

Thus, neither Norris, nor Hassett discloses such limitations of amended claim 1.

It is respectfully submitted that Norris does not teach or suggest a combination with Hassett, and Hassett does not teach or suggest a combination with Norris. Norris addresses the problem of securing licensing. In contrast, Hassett addresses the problem of “pushing” the information. It would be impermissible hindsight, based on applicants’ own disclosure, to combine Norris and Hassett.

Furthermore, even if the “pushing” information technology of Hassett were incorporated into the securing licensing mechanism of Norris, such a combination would still lack automatically searching in a plurality of locations for a configuration information that includes one or more parameters to configure the software that includes determining whether the configuration information is present at a first location; and continuing the searching in one or more second locations for the configuration information if the configuration information is not present at the first location, as recited in amended claim 1.

Given that claims 2, 3, 5, 11-20, 31, 34-39, and 42-45 contain at least the limitations that are similar to those limitations discussed with respect to amended claim 1, applicants respectfully submit that claims 2, 3, 5, 11-20, 31, 34-39, and 42-45 are not obvious under 35 U.S.C. § 103(a) over Norris in view of Hassett.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 022666.

Respectfully submitted,
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